



General Assembly

February Session, 2014

Amendment

LCO No. 3548

HB0504403548HD0

Offered by:

REP. GENTILE, 104th Dist.

To: Subst. House Bill No. 5044

File No. 39

Cal. No. 36

"AN ACT CONCERNING DOMESTICATED HORSES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) (a) In any civil action
4 brought against the owner or keeper of any horse, pony, donkey or
5 mule to recover damages for any personal injury allegedly caused by
6 such horse, pony, donkey or mule, such horse, pony, donkey or mule
7 shall not be found to belong to a species that possesses a naturally
8 mischievous or vicious propensity.

9 (b) In any civil action brought against the owner or keeper of any
10 horse, pony, donkey or mule to recover damages for any personal
11 injury allegedly caused by such horse, pony, donkey or mule, there
12 shall be a presumption that such horse, pony, donkey or mule did not
13 have a propensity to engage in behavior that would foreseeably cause
14 injury to humans. Such presumption may be rebutted by evidence that
15 such horse, pony, donkey or mule previously exhibited behavior that

16 put the owner or keeper of such horse, pony, donkey or mule on notice
17 that such horse, pony, donkey or mule had a propensity to engage in
18 the behavior that allegedly caused such personal injury.

19 (c) There shall be no cause of action for strict liability brought
20 against the owner of any horse, pony, donkey or mule to recover
21 damages for any personal injury alleged to be caused by such horse,
22 pony, donkey or mule."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section